

Self-Service Center
**INSTRUCTIONS: HOW TO APPLY FOR
FURTHER DEFERRAL (a payment plan) OR WAIVER OF COURT
FEES AND COSTS**

USE THIS PACKET only if you have a court order that defers your court fees and costs and you have received a notice from the court telling you you must now pay your court fees and costs or file a Supplemental Application to have your court fees waived or further deferred.

- 1. WHAT COURT FEES OR COSTS ARE CHARGED?** Arizona law requires the Court to charge fees and costs when a court user files certain court papers or needs other court services. There are various fees and costs charged for different kinds of cases, depending on what you want or need to do. If this packet applies to you, you have asked the court to defer your court fees and costs and the court has done so. You will have received a notice from the court that you must now pay your court fees and/or costs, or file a Supplemental Application to further defer or waive your fees and costs.
- 2. WHO PAYS THE COURT FEES AND COSTS?** Usually the person who wants to file a certain court document, or who wants a certain court service, must pay the fees and costs at the time the filing or the service is done. At the end of the court case the judge might order that one or the other party pay all the costs and fees, which means the party who is ordered to do so must pay back the other party who already paid court fees or costs.
- 3. WHAT ABOUT A PARTY WHO CANNOT PAY COURT FEES OR COSTS?**

Sometimes, for very serious reasons, a party cannot pay court fees and costs at the time of filing court papers or asking for another court service. If this happens, the party can apply for a DEFERRAL or WAIVER of court costs and fees at the beginning of the case. If this packet applies to you, you will have already received a deferral at the beginning of the case.

 - A WAIVER means that the party does not have financial resources to pay now, and probably cannot do so in the future. Generally, waivers are only given at the end of a case. The only time you can get a waiver at the beginning of a case is if you are filing for an Order of Protection, or an Injunction Against Harassment.
 - A DEFERRAL means that although the party cannot pay now, he or she can probably pay in the future. Because you can probably pay in the future, most often, you will get a DEFERRAL rather than a WAIVER, because everyone needs to bear his or her fair share of the court fees and costs. If at the end of your case, you meet the financial criteria and still cannot pay your court fees, you can ask the Court to waive or further defer your court fees and costs. If the court defers the court fees and costs, you will be put on a payment plan and required to pay a certain amount of money to the court each month.
- 4. COURT PAPERWORK FOR FURTHER DEFERRAL OR WAIVER OF COURT FEES AND COSTS:**
 - A. SUPPLEMENTAL APPLICATION FOR WAIVER OR FURTHER DEFERRAL OF COURT FEES AND/OR COSTS:** You must file the Supplemental Application with the Clerk of the Court. You should know that if the court does not waive or further defer the court fees and costs, and if you do not pay the court fees and costs a Consent Judgment will be signed by the Judge and recorded against you. If you disagree with the court's decision regarding the Supplemental Application, you can request a hearing. The hearing forms are contained in this packet, too. In filling out the Application, check the boxes that apply to your situation as follows:
 - Paragraph 1. Read paragraph 1(A) to see if you receive any governmental assistance. If you

do, check the box that applies to your situation and then go directly to the end of the last page and date and sign the Application in front of the clerk or notary public. If you do not receive governmental assistance, go to paragraph 1(B).

- Paragraph 1(B). Read paragraph 1(B) to see if your income is insufficient or is barely sufficient to meet the daily essentials of life. If you do, check the box and then fill out the Financial Questionnaire. If your income is sufficient to meet the daily essentials of life, go to paragraph 2.
- Paragraph 2. Read paragraph 2 if paragraph 1(A) and 1(B) do not apply to you. Then explain to the court why you do not have the money to pay your court fees and costs now. Then fill out the Financial Questionnaire.

B. ORDER ON SUPPLEMENTAL APPLICATION (WITHOUT HEARING): Do not fill out this form except for the caption which includes the name of the petitioner/plaintiff, name of the respondent/defendant and your case number. The Special Commissioner will fill out this form after he or she has reviewed your application. This form tells you whether your costs have been waived, further deferred or denied. If you do not agree with the decision of the Special Commissioner, ask the Special Commissioner for the Request for Hearing form and the Order on Supplemental Application (After Hearing).

5. HOW DO I APPLY FOR FURTHER DEFERRAL or WAIVER?

- A. Complete the Supplemental Application and the caption of the Order on Supplemental Application (without hearing). **DO NOT SIGN THE Supplemental Application** until you get to the Filing Counter if you are hand-delivering the Application to the Clerk of the Court. You will be able to sign the Application at the Court when you go to the Filing Counter and avoid the cost of paying a Notary Public. You must personally appear at the court if you are asking the court to waive your court fees and costs unless it will be an extraordinary hardship for you to do so. For example, you live outside the Phoenix Metropolitan area, or you are confined to your home due to illness, and so forth. If you are asking for a further deferral (payment plan), you can mail your Supplemental Application to the court. If you are mailing your Supplemental Application to the Clerk of the Court, you will need to sign the Supplemental Application in front of a Notary Public before you mail your Supplemental Application.
- B. Take the Supplemental Application to the Clerk of Court at the court location where you filed your court papers originally on or before the date you were told to file the Supplemental Application. If you are mailing the Supplemental Application, mail it to the Clerk of the Court, 201 West Jefferson, Phoenix, Arizona 85003. Make sure the Supplemental Application gets to the Clerk of the Court on or before the date you were told to file the Supplemental Application. The Special Commissioner will review your application, determine if you qualify for further deferral or waiver, and notify you whether you qualify for further deferral or waiver.
- C. If your court fees and costs are waived, that means you never have to pay the court fees and costs. If your court fees and costs are further deferred that means that you will be put on a payment plan, and you will need to pay the court a certain amount each month or a consent judgment will be signed against you. If you do not agree with the Court's decision, you can request a hearing in front of a Judge. Ask the Special Commissioner for the form Request for Hearing and Order.

6. OTHER HELP. If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under "attorneys." Also, the Self-Service Center has a list of lawyers who will help you help yourself. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. Visit the Self-Service Center at the Court or on the Internet at <http://www.maricopa.gov/supcrt/ssc/sschome.html> to get the names of some of the lawyers on this list.

Name of Person Filing Document:

Your Address:

Your City, State, and Zipcode:

Your Telephone Number

Attorney Bar Number (if applicable):

Representing ☐ Self or ☐ Attorney for _____

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Name of Petitioner/Plaintiff.

Case Number: _____

**SUPPLEMENTAL APPLICATION FOR
WAIVER OF COURT FEES AND/OR
COSTS FOR PERSONS RECEIVING
PUBLIC ASSISTANCE BENEFITS**

Name of Respondent/Defendant.

STATE OF ARIZONA)
COUNTY OF _____)^{ss}

STATEMENTS MADE TO THE COURT UNDER OATH. I swear or affirm that the information in this application is true and correct. I make this statement under the penalty of prosecution for perjury if it is determined that I did not tell the truth.

1. I am requesting a waiver of any unpaid fees and/or costs in my case.
2. The basis for the waiver is that I receive government assistance from the state/federal program(s) checked below :

<input type="checkbox"/> Temporary Assistance to Need Families (TANF)	<input type="checkbox"/> Food Stamps
<input type="checkbox"/> Supplemental Security Income (SSI)	<input type="checkbox"/> General Assistance (GA)

IF YOU DO NOT RECEIVE ASSISTANCE FROM ANY OF THE ABOVE PROGRAMS, and can not pay court fees and costs, ask the court instead for the supplemental application for waiver or further deferral containing the financial questionnaire.

SIGNATURE UNDER PENALTY OF PERJURY:

Today's Date: _____

Signature: _____

Print Name: _____

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

Name of Petitioner/Plaintiff.

Case Number:

ORDER ON SUPPLEMENTAL
APPLICATION (WITHOUT HEARING)

Name of Respondent/Defendant.

A SUPPLEMENTAL APPLICATION WAS FILED

THE COURT FINDS that the applicant (print name) _____

1. ☐ **IS ELIGIBLE FOR A WAIVER** because
- ☐ There are limited circumstances (Order of Protection, Injunction Against Harassment or other cases pursuant to A.R.S. § 12-302(M)) justifying a waiver of fees and/or costs.
- OR**
- ☐ The applicant is considered to be permanently unable to pay because the applicant:
- ☐ Receives government assistance from the Temporary Assistance to Needy Families Program (TANF), the Food Stamp Program, Arizona's General Assistance Program (GA) or the Supplemental Security Income Program (SSI).
- ☐ Has an income that is insufficient or barely sufficient to meet the daily essentials of life and that includes no allotment that could be budgeted for the fees and costs that are required (e.g., monthly gross income 150% or less of poverty level).
- OR**
2. ☐ **IS ELIGIBLE FOR FURTHER DEFERRAL** of fees and/or costs. None of the grounds set forth above apply; however, the applicant has shown good cause for further deferral. **(Court must establish a schedule of payments.)**
3. ☐ **IS NOT ELIGIBLE FOR A WAIVER OR FURTHER DEFERRAL** of fees and/or costs.

IT IS ORDERED: (Check all boxes that apply)

1. ☐ **APPLICATION DENIED** for the following reasons:
- ☐ It is incomplete because _____
- You are encouraged to submit a complete application before a consent judgment is entered against you.**
- ☐ This is a class action.
- ☐ The applicant is an incarcerated felon and this is not a domestic relations action.
2. ☐ **WAIVER OF PAYMENT IS GRANTED** for unpaid fees and/or costs in the amount of _____

\$ _____

3. ☐ **WAIVER IS DENIED.** The applicant does not meet the financial criteria for waiver because:

- A waiver MUST BE granted if the eligibility requirements listed in Finding #1 are met.**
4. ☐ **FURTHER DEFERRAL IS GRANTED** for unpaid fees and/or costs in the amount of
\$ _____. The following payment schedule is established:

The applicant shall pay \$ _____ each _____ (week, month etc.) until paid
in full, beginning _____.
5. ☐ **FURTHER DEFERRAL DENIED** because the applicant has not demonstrated good cause.
6. **RIGHT TO HEARING.** If the supplemental application is denied, or a payment schedule set,
you may request a hearing. The request must be made within twenty (20) days of the day the order
was mailed or delivered to you. No action for non-payment of fees and/or costs will be taken until
the hearing is held. If you do not request a hearing and no payment schedule is set, full payment is
due within twenty (20) days from the day the order was mailed or delivered to you. If you do not
request a hearing or pay all unpaid fees and/or costs within this time stated, a consent judgment
will be entered against you for any amounts unpaid.

DATED: _____

☐Judicial Officer/☐Special Commissioner